

REMARKS

The Examiner is thanked for the indication that claims 20-23 are allowed. The Examiner also is thanked for the indication that claims 6, 11-12, and 18 are objected to but would be allowable if rewritten in independent form to include all limitations of the base claim and any intervening claims.

Claims 1, 3, 5, 7-14, 16, 17, and 19-23 are pending in the application. Claims 1, 13, and 20 are independent. Claims 1, 5, and 13 have been amended and claims 2, 4, 6, 15, and 18 have been canceled. These changes are believed to introduce no new matter and their entry is respectfully requested.

Objection to the Specification

In the Office Action, the Examiner objected to the Specification citing informalities and requesting that Applicants insert U.S. Patent Application Serial Nos. into the Related Application section of the Specification. By the foregoing Amendment, Applicants have amended the Specification to accommodate the Examiner. Accordingly, Applicants respectfully request that the Examiner reconsider and remove the objections to the Specification.

Rejection of Claims 1-4, 7, 9-10, and 13-16 Under 35 U.S.C. § 102(b)

In the Office Action, the Examiner rejected claims 1-4, 7, 9-10, and 13-16 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,491,729 to Co et al. (hereinafter "Co"). A claim is anticipated only if each and every element of the claim is found, either expressly or inherently, in a reference. (MPEP §2131 *citing Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628 (Fed. Cir. 1987)). The identical invention must be shown in as complete detail as is contained in the claim. *Id. citing Richardson v. Suzuki Motor Co.*, 868 F.2d 1226,1236 (Fed. Cir. 1989)). Applicants respectfully traverse the rejection.

Although Applicants believe that claim 1 is patentable as written, in the interest of expediting prosecution, applicants have amended claim 1 to include the subject matter of claims 2, 4, and 6. The Examiner indicated that claim 6 would be allowable if rewritten in independent form to include all limitations of claim 1 and intervening claims 2 and 4. Accordingly Applicants

respectfully submit that claim 1 is now in condition for allowance and respectfully request that the Examiner reconsider and remove the rejection to claim 1.

Claims 3, 7, and 9-10 properly depend from claim 1, which Applicants respectfully submit is patentable. Claims 2 and 4 have been canceled rendering the rejection of them moot. Accordingly, Applicant respectfully submits that claims 3, 7, and 9-10 are patentable for at least the same reasons that claim 1 is patentable. (MPEP §2143.03 (citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988))). Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claims 1-4, 7, and 9-10.

Although Applicants believe that claim 13 is patentable as written, in the interest of expediting prosecution, applicants have amended claim 1e to include the subject matter of claims 15 and 18. The Examiner indicated that claim 18 would be allowable if rewritten in independent form to include all limitations of claim 13 and intervening claim 15. Accordingly Applicants respectfully submit that claim 13 is now in condition for allowance and respectfully request that the Examiner reconsider and remove the rejection to claim 13.

Claims 14 and 16 properly depend from claim 13, which Applicants respectfully submit is patentable. Claim 15 has been canceled rendering the rejection of it moot. Accordingly, Applicant respectfully submits that claims 14 and 16 are patentable for at least the same reasons that claim 13 is patentable. (MPEP §2143.03 (citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988))). Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claims 13-16.

Rejection of Claims 5 and 17 Under 35 U.S.C. §103(a)

In the Office Action, the Examiner rejected claims 5 and 17 under 35 U.S.C. §103(a) as being obvious over Co in view of U.S. Patent No. 6,611,247 B1 to Chang et al. (hereinafter "Chang"). To establish a *prima facie* case of obviousness, an Examiner must show that that there is some suggestion or motivation to modify a reference to arrive at the claimed invention, that there is some expectation of success, and that the cited reference teaches each and every element

of the claimed invention. (MPEP §2143.) *citing In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)). Applicants respectfully traverse the rejection.

Claims 5 and 17 properly depend from claims 1 and 13, respectively, which Applicants respectfully submit are patentable. Accordingly, Applicant respectfully submits that claims 5 and 17 are patentable for at least the same reasons that claims 1 and 13, respectively, are patentable. (MPEP §2143.03 (citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988))). Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claims 5 and 17.

Rejection of Claims 8 and 19 Under 35 U.S.C. §103(a)

In the Office Action, the Examiner rejected claims 8 and 19 under 35 U.S.C. §103(a) as being obvious over Co in view of U.S. Patent No. 5,235,617 to Mallard, Jr. (hereinafter “Mallard”). Applicants respectfully traverse the rejection.

Claims 8 and 19 properly depend from claims 1 and 13, respectively, which Applicants respectfully submit are patentable. Accordingly, Applicant respectfully submits that claims 8 and 19 are patentable for at least the same reasons that claims 1 and 13, respectively, are patentable. (MPEP §2143.03 (citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988))). Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claims 8 and 19.

CONCLUSION

Applicants submit that all grounds for rejection have been properly traversed, accommodated, or rendered moot, and that the application is in condition for allowance. The Examiner is invited to telephone the undersigned representative if the Examiner believes that an interview might be useful for any reason.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

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